

The Amendments

The claims have been amended for clarity and do not constitute narrowing amendments. No new matter is added by the new claims. Applicants respectfully request entry of this amendment and consideration of the below remarks. In light of these amendments and remarks, applicants respectfully request reconsideration of this application.

Rejection of Claim 15, 24, 31, 33, and 34 Under 35 U.S.C. §112, second paragraph

Claims 15, 24, 31, 33, and 34 stand rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Applicants respectfully traverse the rejection.

The claims have been amended for clarity. In particular claims 10 and 27 have been amended to clarify that the product from said first reaction vessel or chamber can come into contact with a nucleic acid amplification enzyme at several different points (e.g., in the second reaction vessel or chamber or during transfer to the second reaction vessel or chamber).

Applicants believe this rejection is now rendered moot and respectfully request its withdrawal.

Rejection of Claims 10, 11-13, 14-16, 17, 19-36 Under the Judicially Created Doctrine of Obviousness-Type Double Patenting

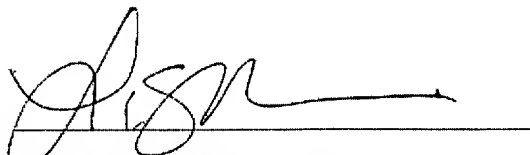
Claims 10, 11-13, 14-16, 17, 19-26 stand rejected under the judicially-created doctrine of obviousness-type double patenting over U.S. Patent No. 6,300,068 alone or in combination with another document.

While not in agreement with the Office Action on this rejection, Applicants, in the interest of efficient prosecution of this application, herewith agree to submit a terminal disclaimer over U.S. Pat. No. 6,300,068 upon indication of allowable claims.

Respectfully submitted,

Date: 2-13-06

By:


Lisa M.W. Hillman, PhD
Reg. No. 43,673